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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.   | CONFIRMATION NO. |
|--|-------------|----------------------|-----------------------|------------------|
| 09/700,158   | 02/21/2001  | Rachel Louise Allen  | P02077 US0            | 2564             |
| 26271  | 7590        | 06/02/2004           | EXAMINER              |                  |
| FULBRIGHT & JAWORSKI, LLP<br>1301 MCKINNEY<br>SUITE 5100<br>HOUSTON, TX 77010-3095 |             |                      | DIBRINO, MARIANNE NMN |                  |
|  |             |                      | ART UNIT              | PAPER NUMBER     |
|  |             |                      | 1644                  |                  |

DATE MAILED: 06/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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|---------------------------------|-------------|---|---------------------|
| APPLICATION NO./<br>CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR /<br>PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|

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| EXAMINER |
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| ART UNIT | PAPER |
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16

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

Please find below a communication from the EXAMINER in charge of this application

This application fails to comply with 37 C.F.R. 1.821-1.825 because applicant is required to submit SEQ ID NO for all sequences appearing in the specification, such as the 20-mer nucleic acid sequence at line 25 on page 21. The applicants are required to either submit a new CRF and Sequence Listing or a letter authorizing the use of the sequence listing filed with the prior application, along with a statement that the sequences in the two cases are identical.

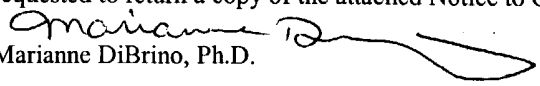
37 C.F.R. 1.821 (e) A copy of the "Sequence Listing" referred to in paragraph 8 of this section must also be submitted in computer readable form in accordance with the requirements of ' 1.824. The computer readable form is a copy of the "Sequence Listing" and will not necessarily be retained as part of the patent application file. If the computer readable form of a new application is to be identical with the computer readable form of another application of the applicant on file in the Office, reference may be made to the other application and computer readable form in lieu of filing a duplicate computer readable form in the new application. The new application shall be accompanied by a letter making such reference to the other application and computer readable form, both of which shall be completely identified.

(f) In addition to the paper copy required by paragraph 8 of this section and the computer readable form required by paragraph (e) of this section, a statement that the content of the paper and computer readable copies are the same must be submitted with the computer readable form. Such a statement must be a verified statement if made by a person not registered to practice before the Office.

Any inquiry concerning this communication should be directed to Examiner Marianne DiBrino, Art Unit 1644, whose telephone number is 703-308-0061.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.

APPLICANT IS GIVEN A ONE MONTH EXTENDABLE PERIOD WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Applicant is requested to return a copy of the attached Notice to Comply with the response.

  
Marianne DiBrino, Ph.D.

  
CHRISTINA CHAN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1600

Art Unit: 1644

Application No.: 09/700,158

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

X 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.

   2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).

   3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).

   4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."

5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).

   6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).

X 7. Other: Applicant is required to submit SEQ ID NO for all sequences appearing in the specification such as for the 20-mer nucleic acid sequence on page 21 at line 25.

**Applicant Must Provide:**

X A substitute computer readable form (CRF) copy of the "Sequence Listing".

X A substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.

X A statement that the content of the paper and computer readable copies are the same, and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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